

A bill for an act
relating to traffic regulation; prohibiting the use of wireless communications
devices in Metropolitan Council public transit vehicles; proposing coding for
new law in Minnesota Statutes, chapter 169.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[169.476] PROHIBITING USE OF WIRELESS COMMUNICATIONS
DEVICES IN METROPOLITAN COUNCIL PUBLIC TRANSIT VEHICLES;
EXCEPTIONS.**

Subdivision 1. Definitions. (a) For the purposes of this section, the following
definitions apply.

(b) "Metropolitan Council" means the council established by section 473.123.

(c) "Metropolitan Council public transit vehicle" means a vehicle providing public
transit as defined in section 174.22, subdivision 7, either directly by employees of the
Metropolitan Council or by employees of another person providing public transit under a
contract with the Metropolitan Council. A public transit vehicle includes a light rail
transit vehicle or a commuter rail vehicle.

(d) "Employer-provided wireless communications device" means a wireless
communications device supplied to the operator of a public transit vehicle by the
Metropolitan Council, or by a person providing public transit under a contract with the
Metropolitan Council, for the purpose of dispatch and other work-related communications.

(e) "Wireless communications device" has the meaning given in section 169.011,
subdivision 94.

Subd. 2. Prohibition on use. A person must not operate a Metropolitan Council
public transit vehicle while using a wireless communications device when the vehicle is in

motion, stopped, or parked, whether or not there are any passengers on board the vehicle.
Using a wireless communications device includes talking on, listening to, or dialing the
device. This prohibition also applies to a wireless communications device that is voice
activated or used in a hands-free mode.

Subd. 3. **Exceptions.** The prohibition in this section does not apply:

(1) to the use of a wireless communications device when a public transit vehicle is
stopped and out of service either at the end of a route or during an employer-prescribed
driver break occurring during a route;

(2) to the use of an employer-provided wireless communications device when used
for work-related purposes; or

(3) if an employer-provided wireless communications device is not available or
readily available, is inoperable, or is otherwise unusable and one or more of the following
circumstances exist:

(i) the wireless communications device is used for obtaining emergency assistance to:

(A) report a traffic accident or serious traffic hazard including the reporting of a
vehicle being operated in a reckless, careless, or otherwise unsafe manner;

(B) report a medical, fire, or hazardous materials emergency; or

(C) prevent a crime about to be committed; or

(ii) the wireless communications device is used in the reasonable belief that a
person's life or safety is in immediate danger; or

(iii) the wireless communications device is used to call for assistance if there is a
mechanical breakdown or other mechanical problem impairing operation of the vehicle.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.